

Our Third Report: Planning for Milan's Future

Ross Williams, Chair

Milan Comprehensive Plan Special Review Board

March 2005

Dear Milan residents and landowners:

Milan's citizens want to retain the rural residential character of their town and to protect its environmental and scenic resources. Rapid growth threatens those values today. Dr. John Nolon, Director of the Land Use Law Center at Pace University, recently commented on the "crisis" of neighborhood character erosion and land disappearance: "The crux of the issue comes down to local zoning laws that define how land can be used. The laws simply must be changed." (*Poughkeepsie Journal*, Feb. 27, 2005) The Comprehensive Plan Board (CPB) has come to the same conclusion and will soon recommend changes to the Town Board.

Comprehensive Plan Process

Under New York State law, a comprehensive plan is the basis for all zoning and land use regulations in a town. As earlier reported to the citizens of Milan, work on a new comprehensive plan was initiated in April 2004 to update the existing Master Plan, now 19 years old. Facing rapid growth, the development of the former Carvel property, pending commercial proposals on State Route 199 and elsewhere in Town, and numerous subdivision proposals, the time could not be more appropriate to review and reconsider Milan's future, as outlined in its Comprehensive Plan.

The CPB has built on the work done in the 1986 plan and on surveys of residents in 2000 and 2001. In 2004, the CPB held two public forums early in the process to understand Milan citizens' interests and concerns about the future of the Town. The CPB followed that with an open house at Community Day in September 2004 and a special presentation to the town's seniors in December. After completing a set of preliminary recommendations, three public workshops were conducted in November 2004 and January 2005 seeking community feedback. In November the CPB held a joint board workshop with the Town Board to get their feedback on work to date, and the CPB and Town Supervisor invited neighboring towns and planning agencies to a regional workshop seeking views on Milan's planning effort. In addition to this outreach, many comments have been received through the Town web site and the mail.

Current Status

After one more round of public input and a second Town Board/CPB joint workshop, the Comprehensive Plan will be completed for submission to the Town Board, planned for May.

Formal Public Hearings will be conducted on Thursday, April 14 at 7 pm, and Saturday, April 16 at 10 am at the Wilcox Town Hall. The joint Board workshop is scheduled for March 22 at 7 pm. The final draft plan can be read at Wilcox Town Hall or on the Town's web site at www.milan-ny.gov; copies will also be placed in the Red Hook, Rhinebeck and Pine Plains libraries for citizen review. Handy comment forms will also be available for return to the Milan Town Hall. A fee of \$10 will be charged anyone wanting their own copy of the draft document, which will also be available at the Town Hall for review.

This report summarizes the findings and recommendations of the CPB. Comments are welcome on the Town web site, by mail or at the Public Hearings.

Vision and Values

The vision and values of the community as reflected in the plan include six major points:

- 1) Maintain the rural character of Milan.
- 2) Remain (primarily) a Residential Community.
- 3) Enable small-scale and limited commercial activity.
- 4) Protect open space and natural resources.
- 5) Keep Milan affordable and accessible to current residents

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Findings

The most significant challenge facing Milan is growth. In the decade of the 1990s, Milan grew at three times the rate of Dutchess County and neighboring towns in northern Dutchess and southern Columbia County. Based on U.S. Census estimates, that growth has continued with indications that the pace of growth in Milan is accelerating. Uncontrolled growth threatens the rural residential atmosphere of Milan and endangers the environmental resources of the community. Large scale commercial and industrial development must also be avoided if we are to retain the rural character so valued by the people of Milan. To control growth, and to prevent unwelcome commercial development, our zoning and land use laws must change.

Some aspects of Milan can be improved, particularly with respect to the vitality of our hamlets and housing for our seniors.

One of the difficult matters facing any community is rising taxes, particularly school taxes. Uncontrolled development contributes to rising taxes by increasing demands for services, particularly schools — costs that are higher than the additional tax revenue development brings. By controlling growth as outlined in the Comprehensive Plan, our Town will do its part to restrain the growth of taxes.

Key Directions

The CPB has reviewed the concepts of “smart growth” that are embodied in the Greenway Compact and in new approaches to zoning being embraced by forward-thinking communities across the county, state and nation. The CPB has tailored those concepts to Milan, to our topography and our size. The recommendations we propose will help control the long-term development of Milan and will enable us to retain the rural character of our residential community.

The major elements of the plan were outlined in our earlier mailings to the Town. Subsequent feedback has broadly endorsed those concepts; some revisions have been made based on ideas received from the community. The key zoning concepts include:

Priority growth area (PGA) designation for our two hamlets of Lafayetteville and Rock City, the historic centers of Milan. Such areas permit mixed commercial and residential use on smaller lots when appropriate infrastructure is provided. By allowing more compact development in small areas, the intent is to revitalize the hamlets over time and to provide additional housing opportunities.

The hamlets are already zoned for mixed use; the plan does not change that. To help improve infrastructure and aid development, the plan designates the hamlets as locations for planned purpose developments.

The CPB proposes planned purpose developments (PPDs) to address particular needs in Milan. These include provision of senior housing and the creation of traditional walking neighborhoods, both designated for the priority growth areas. In addition, PPDs will help the Town to best meet its needs while working with the developers of the golf and recreational community on the Carvel property.

PPDs provide needed zoning flexibility in specified areas of Town for specified purposes. PPDs do not float—they apply only to the areas specifically designated in this plan. A specific PPD can be initiated only by vote of the Town Board. The design is created by the developer with input and approval from the Planning Board and final approval by the Town Board. Input from residents would be solicited and considered whenever a PPD proposal were to come before the Town Board.

A Rural Space Overlay Zone is proposed for all parcels 10 acres or larger that can be developed as residential properties, (with the exception of those in the priority growth areas). At least one additional house can be built on each parcel falling in the overlay zone; a maximum of one house can be constructed for every 10 acres of buildable land. This is the vehicle to control density in Milan, keep Milan rural, and protect our natural resources. It is balanced by provision for more compact development in the priority growth areas.

House sites on these large parcels will be determined using the concept of conservation subdivisions. This approach is sensitive to environmental constraints and preserves ample natural areas. *Continued on next page...*

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Parcels under 10 acres would remain zoned as they are. The Rural Space Overlay Zone would have no affect on approximately seventy-five percent of all parcels in town. The current moratorium on major subdivisions could be lifted when these provision are adopted.

In December 2004 the Town Board placed a moratorium on the Floating Light Industrial Zone in Milan's zoning code while awaiting the CPB recommendations. The CPB recommends the elimination of both this zone and the floating concept entirely, retaining what few light industrial uses are appropriate for Milan under the Commercial uses category instead. These uses would be restricted to the existing Highway Business Zone.

The CPB recommends the implementation of critical environmental areas (CEAs) authorized under the State Environmental Quality Review (SEQR) Act. CEAs are designated areas or locations of special environmental or historical value to the community.

When Milan's Conservation Advisory Council completes the specific recommendations to implement this proposal, CEAs should replace the current Land Conservation Zone. In the CPB's view, the protections offered by the LC zone can be better provided by CEAs, with less potential impact on development rights.

A number of environmental issues, including protection of Milan's water resources, steep slopes and ridgelines, and scenic and historical areas, are not currently covered adequately by Town regulations. The Plan recommends that needed regulations be created to protect the Town's natural and cultural resources.

Committee Recommendations

The CPB has received extensive input from a number of subcommittees and from the general public. Their work is incorporated into the report and into the final recommendations. While the recommendations highlighted above are the most significant in the plan, a number of additional recommendations are also suggested. We urge you to read the attached list and also to obtain the full draft report, which provides detailed background to the recommendations.

The Path to Completion

You are invited to review the full document, participate in the upcoming Public Hearings, or comment on the plan through the Town's web site or traditional mail.

After these hearings, the CPB will make any needed final revisions to the Comprehensive Plan document and submit it to the Town Board for consideration and adoption.

Before adopting the final plan, The Town Board must send it to Dutchess County Planning for review and comment, must hold a Public Hearing and must consider the environmental impacts of the Comprehensive Plan under SEQR.

Once the plan is adopted, it becomes the guide to the Town's future land use regulation and planning. Recommendations do not become law, however, until they are individually enacted by the Town Board. Each new regulation is subject to the same process as all other laws -- a resolution to propose the law, review by involved agencies, a public hearing and SEQR determination -- before it can become law by vote of the Town Board.

After the Comprehensive Plan is adopted, the Town Board may decide to modify proposals from the CPB, may delay action on individual items for financial or other reasons, or may decide not to implement some recommendations.

To ease the financial burden of the Comprehensive Plan process and the development of related new regulations, the Town has received a \$20,000 grant from the Hudson Valley Greenway. In addition, a \$10,000 grant has been approved and forwarded to the County legislature by the Dutchess County Planning Board. Additional grants requests have been submitted to help the Town finance implementation of the Comprehensive Plan recommendations.

Ross Williams, Chair

READ INSIDE:

**Milan Comprehensive Plan Board
recommendations:**

- Balance growth to prevent sprawl
- Protect our environmental and water resource
- Preserve our rural character

YOUR CHANCE TO COMMENT:

**Public Hearings at
Wilcox Memorial Town Hall**

- April 14 at 7 pm
- April 16 at 10 am

or

Write to:

**Ross Williams, Chair
Milan Comprehensive Plan Board
Wilcox Memorial Town Hall
20 Wilcox Circle, Milan NY 12571**

or

**Email through town website:
www.milan-ny.gov**

Household or current resident

**Ross Williams, Chair
Milan Comprehensive Plan Special Review Board
Wilcox Memorial Town Hall
20 Wilcox Circle
Milan, NY 12571**